REMARKS

Claims 1-12 are pending in this application with Claims 1 and 9 as independent claims. The Examiner rejected the claims under 35 U.S.C. §103(a) as being unpatentable over Varsa et al. (U.S. Pub. No.: 2004/0057446) in view of Matsui (U.S. Pub. No.: 2002/0141740).

Reconsideration of the present application is respectfully requested.

Varsa discloses at the streaming client, media data is received from the transmission channel and buffered in client buffer 80. The parameters of pre-decoder buffer 84 and jitter buffer 82 are set by the buffer controller 110. The parameters are chosen as an aggregate of the server recommended pre-decoder buffering parameters and the additional buffering estimated by the client. The client estimates what is needed to tolerate the expected packet transfer delay variation (i.e., jitter) on the available transmission channel. Such aggregate is constrained by the maximum buffering capabilities of the client. Media decoder 90 extracts media data from the client buffer and decodes the media data in manner appropriate for media type in question. (See paragraph 0060).

Regarding independent Claims 1 and 9, the Examiner states that *Varsa* discloses, "a media delay output controller for delaying the other data parsed by and transmitted from the data parsing section according to buffering information of the video data processing section, for outputting the delayed data, and for generating a synchronizing signal." After reviewing *Varsa*, it is respectfully submitted that the Examiner is incorrect.

More particularly, to support his rejection, the Examiner states that *Varsa* (in paragraphs 0060, lines 21-26; para. 0061, 0069) discloses the above recitation. However, with reference to the cited passages, *Varsa* merely recites, "The parameters of pre-decoder buffer 84 and jitter buffer 82 are set by the buffer controller 110. The parameters are chosen as an aggregate of the server recommended pre-decoder buffering parameters and the additional buffering estimated by the client. The client estimates what is needed to tolerate the expected packet transfer delay variation (i.e., jitter) on the available transmission channel. Such aggregate is constrained by the maximum

buffering capabilities of the client." The teaching of a media delay output controller is nowhere to be found in the cited passages and Figures or elsewhere in *Varsa*.

Specifically, the present invention discloses a media delay output controller for delaying the other data parsed by and transmitted from the data parsing section according to buffering information of the video data processing section, for outputting the delayed data, and for generating a synchronizing signal. (See specification, page 6, line 30-page 7, line 2). Further, the present application is directed to a multimedia reproduction apparatus for dividing multimedia data into video data and other data and then parsing the video data and the other data, and decoding the parsed video data by the frame, buffering a predetermined number of video frames, and delaying the parsed other data as many time as the video frames are buffered and outputting the delayed data, and synchronizing and outputting the video frames and the audio frames according to time information. Matsui does not cure this deficiency.

Furthermore, *Varsa* discloses the streaming client sets the parameters of the pre-decoder buffer and jitter buffer to an aggregate of the server recommended pre-decoder buffering parameters and the additional buffering estimated by the client and estimates what is needed to tolerate the expected packet transfer delay variation (i.e. jitter) on the available transmission channel, referring to paragraph [0060] as indicated by Examiner. *Varsa* discloses the media data is decoded and is output to post-decoder buffer where it is stored temporarily until its scheduled play-out time. In addition, paragraphs [0062] and [0069] of *Varsa* disclose relevant contents (stability and delaying) in which the streaming server can signal the pre-decoder buffering parameters.

Varsa aims at compensating a delay occurring when the streaming server streams the media data to the streaming client.

In contrast, the present application aims to resolve the difference between a speed for decoding the video data and a speed for decoding the data other than the video data, when decoding multimedia data. However, *Varsa* fails to disclose a construction capable of solving the problem generated in decoding different kinds of data included in the media data when the media data is decoded.

Further, *Varsa* merely teaches the media data includes the video data and the audio data, and since the decoding method of each data is different, the streaming client has a decoder corresponding to each data and each data is decoded using individual decoder. *Varsa* fails to teach or suggests the claimed feature of dividing multimedia data into video data and other data and then parsing the video data and the other data, and decoding the parsed video data by the frame, buffering a predetermined number of video frames, and delaying the parsed other data as many time as the video frames are buffered and outputting the delayed data, and outputting the video frames, as described in the present application.

The Examiner acknowledges that *Varsa* fails to teach "a synchronizing section for synchronizing and outputting the video data output from the video data output section and the audio data output from the audio data processing." (See Office Action, page 3). The Examiner relies on para 0005, 0283, para 0321-0325, Fig. 16; Fig. 7, item 212b, para 0159-0164 of *Matsui* to remedy this deficiency. *Matsui*, however, merely makes mention of Synchronization Multimedia Markup Language as a scene description language. (See para 0005, lines 9-10). Fig. 16 is a diagram for explaining a handy phone as a data reproduction apparatus. *Matsui* is silent about "a synchronizing section for synchronizing and outputting the video data output from the video data output section and the audio data output from the audio data processing." Accordingly, *Matsui* fails to teach, disclose or fairly suggest "a synchronizing section for synchronizing and outputting the video data output from the video data output section and the audio data output from the audio data processing."

Based on the above, neither *Varsa* nor *Matsui* combined or alone disclose, teach or fairly suggest the above mentioned recitations. To establish a prima facie case of obviousness under 35 U.S.C. §103(a) based upon a combination of references, the cited combination of references must disclose, teach or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881(C.C.P.A. 1981). All of the claimed features of independent Claims 1 and 9 are not taught or suggested by the combination of *Varsa* and *Matsui* or by either reference alone. Accordingly, the Examiner fails to establish a prima facie case of obviousness with respect to Claims 1 and 9. Withdrawal of the rejection will be requested.

Independent Claims 1 and 9 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-8 and 10-12, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-8 and 10-12 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-12, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

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